

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:11-cr-00020-2</b>
	)	<b>Chief Judge Haynes</b>
<b>AUSTIN MICHAEL EVANS</b>	)	

**MOTION TO REVISE PRESENTENCE REPORT**

COMES NOW the Defendant, **Austin Michael Evans**, by and through his undersigned counsel, and respectfully requests that this Honorable Court enter an Order revising the presentence report to reflect that a Sumner County probation violation case has been resolved and that the Sumner County Sheriff's Office has lifted its detainer. In support hereof, Defendant states as follows:

1. On July 26, 2013, this Court committed the Defendant to the custody of the Bureau of Prisons to be imprisoned for a term of sixty (60) months followed by a three (3) year term of supervised release with a special condition that he be placed in a halfway house for twenty (20) months. (Docket Entry 115).

2. The Presentence Report currently reflects a "detainer" lodged by the Sumner County, Tennessee, Sheriff's Office (page 1) and a pending Sumner County probation violation warrant (page 10, paragraph 30).

3. On August 19, 2013, Mr. Evans appeared with undersigned counsel in the Criminal Court for Sumner County, Tennessee, and resolved the pending probation violation reflected in the Presentence Report. He admitted the violation, was sentenced to a term of three (3) years to run concurrently with the sentence imposed by this Court with jail credit from

12/17/10 to 08/19/13. A copy of the Sumner County Criminal Court *Judgment* reflecting this disposition is appended hereto as *Attachment I*.

4. In light of the resolution of the pending Sumner County probation violation, the Presentence Report should be revised as follows: (1) Page one should reflect no detainer; and, (2) Paragraph 30 should be amplified to include the disposition of the probation violation warrant and reflect that the warrant is no longer active. These important corrections need to be made before the report is transmitted to the Bureau of Prisons for its designation process.

**WHEREFORE**, based on the foregoing, Defendant Evans respectfully requests that this Honorable Court enter an Order revising the presentence report to reflect that a Sumner County probation violation case has been resolved and that the Sumner County Sheriff's Office has lifted its detainer.

Respectfully submitted,

TUNE, ENTREKIN & WHITE, P.C.  
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S:/ Peter Strianse  
PETER J. STRIANSE  
Attorney for Defendant Evans

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been sent via the Court's electronic filing system unless not registered and, in that event deposited in the United States mail, postage prepaid, to:

Philip H. Wehby  
Assistant United States Attorney  
110 Ninth Avenue South  
Suite A961  
Nashville, TN 37203-3870

**Via Email**  
Liberty Lander  
U.S. Probation Officer

This 23<sup>th</sup> day of August, 2013.

S:/ Peter J. Strianse  
PETER J. STRIANSE